

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV-07-0153 JP/LAM
CR-05-2712 JP

ANTONIO OCHOA-LOPEZ,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION (Doc. 9)**

THIS MATTER is before the Court on Magistrate Judge Lourdes A. Martínez' *Proposed Findings and Recommended Disposition* (Doc. 9), filed on November 16, 2007. No party has filed objections to the proposed findings and recommended disposition and the deadline for filing objections has passed. The Court has determined that it will adopt the *Proposed Findings and Recommended Disposition* (Doc. 9), deny Defendant-Movant Ochoa Lopez' *Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody* (Doc. 1) seeking relief pursuant to 28 U.S.C. § 2255, without an evidentiary hearing, and dismiss this case with prejudice.

IT IS THEREFORE ORDERED that the *Proposed Findings and Recommended Disposition* (Doc. 9) are ADOPTED by the Court.

IT IS FURTHER ORDERED that Defendant-Movant Ochoa-Lopez' *Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody* (Doc. 1) seeking relief pursuant to 28 U.S.C. § 2255 is DENIED, without an evidentiary hearing.

IT IS FURTHER ORDERED that a final judgment dismissing this case and all of Defendant-Movant's claims, with prejudice, be entered concurrently with this order.



SENIOR UNITED STATES DISTRICT JUDGE